

Amend Claim 13 as follows:

A)  
B)  
C) 13. (Amended) A system for carrying out a process for forming workpieces in a forming system which has at least one forming station, comprising means for transporting the workpieces from or to the at least one forming station, with at least one machining station for the local energy feeding arranged inside the forming system, wherein at least one machining device with a local energy feed is fixedly arranged in the forming system.

#### REMARKS

The objections to Claims 12 and 13 have been addressed.

The rejection of Claims 1-9 and 13 as being anticipated by Clark et al. under 35 U.S.C. §102(b) is traversed, and reconsideration is requested.

The process and system claimed in the present invention involves a device in which three-dimensional structures are formed with a separate station for local charging of energy within a forming device. This separate station is suitable for carrying out the three-dimensional processing, either during or shortly after the forming operation. No such teaching or suggestion is found in Clark et al.

The Clark et al. laser cutting head attachment is used for a turret punch machine tool equipped with controlled automatic x-y axis workpiece movement mechanisms. That is, the Clark et al. device produces what amounts to two-dimensional contours as seen by reference to Figs. 2-5. The laser cutting head of

Clark et al. can only be moved vertically which brings it only into a cutting position which, in combination with the tool holder, permits only two-dimensional axis cuts. For the foregoing reasons, the Clark et al. patent cannot be said to anticipate Claims 1-9 and 13. For similar reasons, the rejection of Claims 10 and 11 as being unpatentable over Clark et al. in view of Brandstetter under 35 U.S.C. §103(a) does not set forth a *prima facie* case of obviousness. Traversal and reconsideration of this §103(a) rejection is entered and requested, respectively. Even if it could be argued that Brandstetter et al. teaches a method of forming a workpiece that would have been combinable with the Clark et al. attachment, the resulting hypothetical combination would not teach or suggest the process of Claims 10 and 11 for the above reasons.

Similarly, the rejection of Claims 12-24 as being anticipated by Bruns under 35 U.S.C. §102(b) and the rejection of Claim 25 as being unpatentable over Bruns in view of Morita et al. under 35 U.S.C. §103(a) are traversed, and reconsideration is requested. The Bruns crossbar transfer press has nothing whatsoever to do with a forming apparatus employing a laser. Indeed, the Bruns press is a traditional mechanical transfer press employing a plurality of feed mechanisms coupled to a crossbar for transferring pieces sequentially to stamping stages in the press. There is no teaching or suggestion of a machining station for local energy feeding.

The asserted combination of Bruns and Morita et al. is seen to be based upon impermissible hindsight made possible by the disclosure of the present application. Moreover, even if the Morita et al. system would have been combinable with the teachings of Bruns, an assumption which the applicants do


not concede to be appropriate, the resulting hypothetical combination would not have resulted in the system of Claim 25. The Office Action does not clearly and convincingly articulate why the use of a machining system having a laser beam would have been employed in a crossbar transfer press of the type disclosed in Bruns absent impermissible hindsight.

Accordingly, reconsideration and favorable action upon the Claims in this application are earnestly solicited.

If necessary to effect a timely response, this paper should be considered as a petition for an Extension of Time sufficient to effect a timely response, and please charge any deficiency in fees or credit any overpayments to Deposit Account No. 05-1323 (Docket #852/48374).

Respectfully submitted,

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APPENDIX showing marked-up version of Amended Claims

12. (Amended) A system for carrying out a process for forming workpieces in a forming system which has at least one forming station, comprising means for transporting the workpieces from and to the at least one forming station, [and] with at least one machining station for the local energy feeding arranged inside the forming system, wherein at least one machining device with a local energy feed is arranged on a transport device for the workpieces.

13. (Amended) A system for carrying out a process for forming workpieces in a forming system which has at least one forming station, comprising means for transporting the workpieces from or to the at least one forming station, [and] with at least one machining station for the local energy feeding arranged inside the forming system, wherein at least one machining device with a local energy feed is fixedly arranged in the forming system.